

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Virginia 22313-1450 www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/051,645	01/18/2002	Guy J. Labelle	38488.0200	8725
20322	7590 11/01/2006		EXAM	INER
SNELL & WILMER			COBANOGLU, DILEK B	
400 EAST VAN BUREN ONE ARIZONA CENTER			ART UNIT	PAPER NUMBER
PHOENIX, A	PHOENIX, AZ 85004-2202			- -
			DATE MAILED: 11/01/2006	

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)			
	10/051,645	LABELLE ET AL.			
Office Action Summary	Examiner	Art Unit			
	Dilek B. Cobanoglu	3626			
The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply					
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication. - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication. - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).					
Status					
 Responsive to communication(s) filed on 13 September 2006. This action is FINAL. 2b) This action is non-final. Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. 					
Disposition of Claims					
4) Claim(s) 1-40 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5) Claim(s) is/are allowed. 6) Claim(s) 1-40 is/are rejected. 7) Claim(s) is/are objected to. 8) Claim(s) are subject to restriction and/or election requirement. Application Papers 9) The specification is objected to by the Examiner. 10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).					
11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.					
Priority under 35 U.S.C. § 119 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some colon None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received.					
Attachment(s) 1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date	4) Interview Summary Paper No(s)/Mail Do 5) Notice of Informal P 6) Other:	ate			

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DETAILED ACTION

1. This communication is in response to the request for reexamination (RCE) received on 09/13/2006. Claims 1, 15, 23 and 26 have been amended. Claims 1-40 are still pending.

Claim Rejections - 35 USC § 103

- 2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
 - (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.
- 3. Claims 1-3, 6-7, 10-16 and 19-27 and 29-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over information available from the web site of InsureMarket (hereinafter InsureMarket) in view of Shavit et al. (hereinafter Shavit) (U.S. Patent No. 4,799,156), Hele et al. (hereinafter Hele) (U.S. Patent Publication No.2002/0111835), information available at the web site of amexinsurance (hereinafter Amexinsurance), and information available at the web site of Progressive.
 - A. Claim 1 has been amended to now recite a network-based method for facilitating the dispensing of insurance providing coverage in a country other than the one in which the customer resides comprising:
 - receiving policy information from a plurality of insurance
 companies, the policy information including at least insurance rates and

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underwriting guidelines (Quotes and Purchasing Page and How InsureMarket Works);

ii. contracting with an agent to sell, via an agent website, insurance policies from the plurality of insurance companies in accordance with the policy information.

InsureMarket fails to explicitly disclose "an agent and an agent website" per se, since it appears that InsureMarket is more directed to receive and compare real-time quotes, obtain information, connect with agents, and purchase policies from the nation's leading insurance carriers (Insuremarket (or Quicken Insurance) home page). However, this feature is well known in the art, as evidenced by Shavit.

In particular, Shavit discloses an agent and an agent website, which sell insurance policies from the plurality of insurance companies in accordance with the policy information (Shavit; col. 5, line 66 to col. 6, line 18, col. 7, lines 6-9 and Fig.7).

It would have been obvious to one having ordinary skill in the art at the time of the invention to include the aforementioned limitation as disclosed by Shavit with the motivation of providing customers with more convenient and more efficient ways to purchase goods (Shavit; co. 6, lines 19-23).

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iii. receiving customer data from at least one of the agent website and an agent representative via a network, the data including at least identification of the desired type of insurance and parameters applicable to the underwriting guidelines;

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InsureMarket fails to explicitly disclose "receiving customer data from at least one of the agent website and an agent representative" per se, since it appears that InsureMarket is more directed to receive information from the customer (Insuremarket (or Quicken Insurance) home page). However, this feature is well known in the art, as evidenced by Shavit.

In particular, Shavit discloses "receiving customer data from at least one of the agent website and an agent representative via a network, the data including at least identification of the desired type of insurance and parameters" (Shavit; col. 10, lines 33-44). It would have been obvious to one having ordinary skill in the art at the time of the invention to include the aforementioned limitation as disclosed by Shavit with the motivation of the system to assure that the selected function is open to the user (Shavit; col. 10, lines 36-39).

iv. calculating insurance rates for insurance policies from a plurality of competing insurance companies;

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InsureMarket fails to explicitly disclose "calculating insurance rates for insurance policies from a plurality of competing insurance companies" per se, since it appears that InsureMarket is more directed to receive and compare real-time quotes (Insuremarket (or Quicken Insurance) home page). However, this feature is well known in the art, as evidenced by Progressive.

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In particular, Progressive discloses "calculating insurance rates for insurance policies from a plurality of competing insurance companies" (Progressive home page/Get Insurance).

It would have been obvious to one having ordinary skill in the art at the time of the invention to include the aforementioned limitation as disclosed by Progressive with the motivation of it's being instant and easy (Progressive home page/Get Insurance).

v. providing to the customer via a network, the insurance rates for the insurance policies from the plurality of competing insurance companies, (Insuremarket (or Quicken Insurance) home page), wherein all of the competing insurance companies are required to bind coverage and provide the insurance policies based on the provided insurance rates to the customer if the insurance policy is selected by the customer (InsureMarket; How InsureMarket Works).

InsureMarket fails to explicitly disclose "the insurance policies providing coverage in a country other than the one in which the

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customer resides" per se, since it appears that
InsureMarket/Netquote is more directed to provide insurance
products and services in the country. However, this feature is well
known in the art, as evidenced by Amexinsurance.
In particular, Amexinsurance discloses providing coverage in the
country other than the one in which the customer resides (i.e.
insurance programs for UŠ residents travel to Mexico and Mexican
residents travel to the US) (Amexinsurance home page).
It would have been obvious to one having ordinary skill in the art at
the time of the invention to include the aforementioned limitation as
disclosed by Amexinsurance within Insuremarket with the
motivation of providing fast and friendly insurance services with low
prices (Amexinsurance home page).

vi. receiving from the customer via the network instructions to purchase an insurance policy (i.e. purchase policies) (InsureMarket Home page).

InsureMarket fails to expressly teach "receiving customer financial transaction account information to facilitate payment" and "facilitating authorization of the customer financial transaction account information without involvement by the agent or the plurality of insurance companies" per se, since it appears that InsureMarket is more directed to receive and compare real-time

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quotes, obtain information, connect with agents, and purchase policies from the nation's leading insurance carriers. However, this feature is well known in the art, as evidenced by Shavit.

In particular, Shavit discloses receiving customer financial transaction account information to facilitate payment and facilitating authorization of the customer financial transaction account information without involvement by the agent or the plurality of insurance companies (Shavit; col. 8, line 55 to col. 9, line 6, col. 26, lines 50-57 and Fig. 15).

It would have been obvious to one having ordinary skill in the art at the time of the invention to include the aforementioned limitation as disclosed by Shavit within Insuremarket for the motivation of handle the financial outcome of the various transactions (Shavit; col. 8, lines 34-37).

vii. Facilitating the electronic creation and distribution of proof of coverage to the location of the customer;

InsureMarket fails to expressly teach "facilitating the electronic creation and distribution of proof of coverage to the location of the customer" per se, since it appears that InsureMarket is more directed to receive and compare real-time quotes, obtain information, connect with agents, and purchase policies from the

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nation's leading insurance carriers. However, this feature is well known in the art, as evidenced by Hele.

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In particular, Hele discloses facilitating the electronic creation and distribution of proof of coverage to the location of the customer (Hele; par. 0049,0052, 0053, 0112 and 0132).

It would have been obvious to one having ordinary skill in the art at the time of the invention to include the aforementioned limitation as disclosed by Hele within Insuremarket for the motivation of entering all the information into the computer system, which can be saved and revisited (Hele; par. 0112).

- B. As to claim 2, InsureMarket discloses The method according to Claim I wherein:
 - i. the network is the Internet (Quicken InsureMarket Home Page);
 - ii. the data is input directly by the customer into a computer accessedby the customer (How InsureMarket works);
 - iii. the instructions to purchase the insurance policy are input directly by the customer into a computer accessed by the customer (How InsureMarket works);
 - iv. the payment or promise to pay is received via the Internet and input directly by the customer into a computer accessed by the customer(How InsureMarket works).

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InsureMarket does not explicitly disclose the electronic distribution

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includes printing at the location of the customer, via a printer

accessed by the customer, a document providing proof of

coverage. However, Hele discloses providing a hardcopy of an

electronic document via a printer (paragraph 132).

It would have been obvious to one of ordinary skill in the art at the

time of Applicant's invention to include the aforementioned

limitation as disclosed by Hele within InsureMarket for the

motivation of providing a hardcopy receipt of the

transaction/agreement undertaken by the user (paragraph 132).

C. As to claim 3 InsureMarket disclose The system according to Claim 2:

InsureMarket does not explicitly disclose receive customers from insurance agents. However, Hele discloses the method being further configured to receive customers from insurance agents (paragraphs 27, 42). It would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to include the method being further configured to receive customers from insurance agents as disclosed by Hele within InsureMarket for the

motivation stated in claim 1.

InsureMarket, Hele, and Amexinsurance do not explicitly disclose the insurance agents performing advertising; and the advertising including at least registering with at least one search engine.

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However, the Examiner takes official notice that it was well known in the electronic advertising arts to advertise registering with a search engine. The motivation would have been to obtain payment for services rendered. It would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to include the insurance agents performing advertising; and the advertising including at least registering with at least one search engine within InsureMarket, Hele, and Amexinsurance for the motivation stated above.

- D. As to claim 6, InsureMarket discloses The method according to Claim 2, the policy information being received via the Internet (Quicken InsureMarket Home Page).
- E. As to claim 7, InsureMarket discloses The method according to Claim 6, the contracting with insurance companies being via the Internet (How InsureMarket works).
- F. As to claim 10, InsureMarket discloses The method according to Claim 7,
 - i. The insurance being selected from the group consisting of automobile and specialty insurance (Quicken InsureMarket Home Page)

 Insuremarket and Hele do not explicitly disclose the insurance providing coverage in Mexico. However, Amexinsurance discloses the insurance providing coverage in Mexico (page 1). It would have been obvious to one of ordinary skill in the art at the time of

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Applicant's invention to include the aforementioned limitation as disclosed by Amexinsurance within Insuremarket and Hele with the motivation of providing fast and friendly insurance services with low prices in Mexico (page 1).

- G. As to claim 11, InsureMarket discloses The method according to Claim 1:
 - i. the data being input into a computer on behalf of the customer;
 - ii. the instructions to purchase being input on behalf of the customer;
 - iii. the payment or promise to pay being received from the customer as explained for claim 1.

InsureMarket does not explicitly disclose the electronic distribution includes, a document providing proof of coverage. However, Hele discloses facilitate the electronic distribution of proof of coverage to the location of the customer (Fig. 3, units 72 and 74, paragraphs 49, 52, and 63).

It would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to include facilitate the electronic distribution of proof of coverage to the location of the customer as disclosed by Hele within InsureMarket for the motivation of providing processing and underwriting of new applications for insurance over the Internet (paragraph 25).

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InsureMarket and Hele do not explicitly disclose an insurance agent inputting on behalf of a customer; the printing being via a printer controlled by the insurance agent, printing at the location of the customer; and the insurance agent giving the document to the customer.

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However, the Examiner takes official notice that it was well known in the insurance arts to input policy information and print a copy of a Chosen policy on behalf of an insured. The motivation was to assist the insured in obtaining coverage and providing a hardcopy of the agreement accepted by the insured. It would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to include the aforementioned limitations within InsureMarket and Hele for the motivation stated above.

- H. As to claim 12, InsureMarket discloses The method according to Claim 1, the insurance being automobile insurance (Quicken InsureMarket Home Page).
- I. As to claim 13, InsureMarket discloses The method according to Claim 1, the insurance being specialty insurance (Quicken InsureMarket Home Page).
- J. As to claims 14, 22, and 32, the claims are substantially similar in scope to claim 10 and are rejected on the same basis.
- K. As to claims 15-21, and 23-31, 33-34, the claims are substantially similar to claims 1-3, 6, 7, and 10-13 and are rejected on the same basis.

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L. As per claim 35, InsureMarket discloses the method of claim 1.

InsureMarket fails to expressly teach "providing authorization levels based upon account numbers associated with the plurality of insurance companies, such that said authorization levels provide the agent with various of at least one of access and editing capabilities" per se, since it appears that InsureMarket is more directed to receive and compare real-time quotes, obtain information, connect with agents, and purchase policies from the nation's leading insurance carriers. However, this feature is well known in the art, as evidenced by Shavit.

In particular, Shavit discloses providing authorization levels based upon account numbers associated with the plurality of insurance companies, such that said authorization levels provide the agent with various of at least one of access and editing capabilities (Shavit; col. 10, lines 1-44).

It would have been obvious to one having ordinary skill in the art at the time of the invention to include the aforementioned limitation as disclosed by Shavit within Insuremarket for the motivation of providing extensive provisions for security because of the sensitivity of the information stored in the databases (Shavit; col. 9, lines 43-47).

M. As per claim 36, InsureMarket disclose the method of claim 1.

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The obviousness of modifying the teaching of InsureMarket to include the facilitating the electronic creation and distribution of proof of coverage to the location of the customer with at least one of scripted functions and customized information based on requirements from one of the plurality of insurance companies (as taught by Hele) is as addressed above in the rejection of claim 1 and incorporated herein.

- N. As per claim 37, InsureMarket disclose the method of claim 1, wherein the step of providing the insurance rates further comprises providing the insurance rates which include opinions or extra knowledge from the agent related to the insurance companies associated with the insurance rates. (InsureMarket; Agent Insider).
- O. As per claim 38, InsureMarket disclose the method of claim 1. (InsureMarket; home page)

InsureMarket does not explicitly disclose "providing the insurance rates without identifying the related insurance company providing the insurance rate" per se, since it appears that InsureMarket is more directed to receive and compare real-time quotes, obtain information, connect with agents, and purchase policies from the nation's leading insurance carriers. However, this feature is well known in the art, as evidenced by Progressive Company (www.progressive.com).

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Examiner considers that it would be obvious to one having ordinary skill in the art at the time of the invention to provide insurance rate information without identifying the related insurance company providing the insurance rate with an option by excluding the insurance company information when the rates submitted to the customer with the motivation of obtaining only rates.

P. As per claim 39, InsureMarket disclose the method of claim 1. (InsureMarket; home page)

InsureMarket does not explicitly disclose "providing a quotation

analysis report, which lists the statistics related to the quotes requested" per se, since it appears that InsureMarket is more directed to provide rates for insurance products and services.

However, this feature is well known in the art, as evidenced by Progressive Company (www.progressive.com).

In particular, Progressive Company discloses providing a quotation analysis report, which lists the statistics related to the quotes requested (Progressive home page; rate comparisons)

It would have been obvious to one having ordinary skill in the art at the time of the invention to include the aforementioned limitation as disclosed by Progressive within InsureMarket for the motivation of making shopping easier for the customer (Progressive home page).

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Q. As per claim 40, InsureMarket disclose the method of claim 1. (InsureMarket; home page)

InsureMarket does not explicitly disclose "receiving claims information from policyholders which is automatically transmitted to claims adjusters for processing" per se, since it appears that InsureMarket is more directed to provide rates for insurance products and services and underwriting insurance. However, this feature is well known in the art, as evidenced by Progressive Company (www.progressive.com).

In particular, Progressive Company discloses receiving claims information from policyholders which is automatically transmitted to claims adjusters for processing (Progressive home page; rate comparisons)

4. Claims 4-5, 8-9, 17-18 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over information available from the web site of InsureMarket (hereinafter InsureMarket) in view of Shavit et al. (hereinafter Shavit) (U.S. Patent No. 4,799,156), Hele et al. (hereinafter Hele) (U.S. Patent Publication No.2002/0111835), information available at the web site of amexinsurance (hereinafter Amexinsurance), and information available at the web site of Progressive as applied to claims 1, 15, and 27 above, and further in view of Freedman, Pub No. 200210002475.

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A. As to claim 4, InsureMarket discloses the method according to Claim 3, the method being further configured to: paying the insurance companies premiums (How InsureMarket works).

InsureMarket, Hele, and Amexinsurance do not explicitly disclose paying the insurance agents commissions. However, Freedman discloses pay the insurance agents commissions (paragraph 103). It would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to include the aforementioned limitation as disclosed by Freedman within InsureMarket, Hele and Amexinsurance for the motivation of providing a method of providing Insurance coverage and claims processing to customers that achieve cost savings and efficiencies over conventional methods (paragraphs 10 and 11).

- B. As to claim 5, InsureMarket discloses The method according to Claim 4:
 - the policy information being received via the Internet (Quicken InsureMarket Home Page); and
 - ii. the contracting with insurance companies being via the Internet (Quicken InsureMarket Home Page).
- C. As to claim 8, InsureMarket discloses The method according to Claim 7, the method being further configured to:
 - i. store the policy information(How InsureMarket works);
 - ii. storing the data(How InsureMarket works); and
 - iii. providing customer service (Customer Service).

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InsureMarket, Hele, Amexinsurance do not explicitly disclose the customer service including at least notifying customers of changes in the policy information. However, Freedman discloses the customer service including at least notifying customers of changes in the policy information (paragraph 142).

It would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to include the aforementioned limitation as disclosed by Freedman within InsureMarket, Hele, and Amexinsurance for the motivation stated in claim 4 above.

- D. As to claim 9, InsureMarket, Hele, and Amexinsurance disclose The method according to Claim 8. InsureMarket, Hele, and Amexinsurance do not explicitly disclose to provide claims service. However, Freedman discloses the method being further configured to provide claims service (paragraphs 123-125). It would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to include the aforementioned limitation as disclosed by Freedman within InsureMarket, Hele, and Amexinsurance for the motivation stated in claim 4.
- E. As to claims 17, 18, and 28, the claims are similar in scope to claims 4, 5, 8 and 9 and are rejected on the same basis.

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Response to Arguments

5. Applicant's arguments filed 09/13/2006 have been fully considered but they are not persuasive. Responses to the argument are as follows:

- A. Applicant argues that the Shavit reference does not teach an agent or agent website which provides customer desired insurance requests to a host, wherein the host rates from various competing insurance companies, then the host quotes and accepts payments directly from the customer without involvement by the agent or insurance company. Examiner respectfully submits that Shavit teaches an interactive management system with a wide variety of participants including sellers and their agents (Shavit; abstract, col. 5, line 66 to col. 6, line 18, col. 8, line 55 to col. 9, line 10 and Fig. 2). The combination of references of Shavit, Hele, information available at the web sites of InsureMarket,

 AmexInsurance and Progressive insurance teaches obtaining quotes for insurance policies and accepts payments from the customer (InsureMarket web site, Progressive web site, Amexinsurance web site, Hele; par. 0049, 0052, 0053, 0112 and 0132 and Shavit; col. 10, lines 33-44, col. 8, line 55 to col. 9, line 6, col. 26, lines 50-57 and Fig.15).
- B. Applicant argues that neither Progressive nor any of other cited references, alone or in combination disclose or teach at least "wherein all of the competing insurance companies are required to bind coverage and provide the insurance policies based on the provided insurance rates to the customer if the insurance policy is selected by the customer", Examiner respectfully submits that the

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information provided on the web page of InsureMarket, disclose viewing and comparing policy options and annual fees from several different carriers, select the policy that is right for you and apply online for the insurance policy (InsureMarket; How InsureMarket Works).

C. Applicant argues that "no one previously offered other country policies via an online website, and more particularly, no one offered such other country policies via an online website which includes the features of the presently claimed invention". Examiner respectfully submits that the combination of InsureMarket, Progressive, Amexinsurance, Shavit, Hele and Freeman disclose this limitation.

D. Applicant also argues that the Progressive Amexinsurance web sites do not pre-date the filing date of the present application, Examiner respectfully submits that the dates for the references can be found in the footer of the printout, in the format of http:lweb.archive.orglwebl(yearin yyyy)(month in mm)(day in dd)(time code in hh:mm:ss)/(archived URL). As such, the dates ascribed to the InsureMarket website is 1/29/1999, that of Amex Insurance is 3/9/2000, and Progressive Insurance is 10/2/2000. Please see the reference on About the Wayback Machine, namely the FAQ at page 4 of 6.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The cited but not used art teach "Electronic accident estimating system" 5,128,859 A, "Method and apparatus for processing automobile repair data and

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statistics" 2002/0007289, "Sales method, sales system, sales processing apparatus, and terminal apparatus" 2002/0032615, "Insurance method" 2002/0077866, "Insurance method" 200/0135396, "Sales method and system for selling tangible and intangible products" 6,938,006 B2.

- 7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dilek B. Cobanoglu whose telephone number is 571-272-8295. The examiner can normally be reached on 8-4:30.
- 8. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Thomas can be reached on 571-272-6776. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.
- 9. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

DBC Art Unit 3626 10/12/2006

C. LUKE GILLIGAN
PATENT EXAMINER